

IN THE UTAH COURT OF APPEALS

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Bank of America, NA,)	MEMORANDUM DECISION
)	(Not For Official Publication)
Plaintiff and Appellee,)	
)	Case No. 20080110-CA
v.)	
)	F I L E D
Diane H. Fowler,)	(April 3, 2008)
)	
Defendant and Appellant.)	2008 UT App 123

Second District, Bountiful Department, 070800355
The Honorable Glen R. Dawson

Attorneys: Diane H. Fowler, Layton, Appellant Pro Se
 Brian W. Cannon, Sandy, for Appellee

Before Judges Greenwood, Thorne, and Billings.

PER CURIAM:

Diane H. Fowler appeals the district court's order entered December 12, 2007, awarding judgment in favor of Bank of America. This is before the court on its own motion for summary disposition.

Fowler filed her notice of appeal on January 29, 2008. Pursuant to rule 4 of the Utah Rules of Appellate Procedure, a notice of appeal must be filed within thirty days after the entry of the judgment or the order appealed. See Utah R. App. P. 4(a). Although a copy of a signed judgment should be promptly served by the party preparing it, this requirement does not affect the timeliness requirement found in rule 4. See id.; see also Utah R. Civ. P. 58A(d).

Fowler's notice of appeal was filed more than thirty days after the entry of judgment and is thus untimely. If an appeal is not timely filed, this court lacks jurisdiction to consider

the appeal and must dismiss it. See Serrato v. Utah Transit Auth., 2000 UT App 299, ¶ 7, 13 P.3d 616.

Accordingly, this appeal is dismissed.

Pamela T. Greenwood,
Presiding Judge

William A. Thorne Jr.,
Associate Presiding Judge

Judith M. Billings, Judge